2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by the Republic of Croatia

Article I

1. Having passed the test of time, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has confirmed its role as the most important international deterrence instrument against the threat of nuclear arms proliferation, at the same time promoting the peaceful uses of nuclear energy.

Article II

2. Croatia is actively implementing the principles of non-proliferation and the non-acquisition of nuclear materials or equipment used in the production of nuclear weapons or any other nuclear explosive devices.

Article III

3. On 9 June 1994, Croatia signed the Agreement between the Republic of Croatia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons with Protocol (INFCIRC/463). The Agreement entered into force on 19 January 1995 and since that time Croatia has the state system on accounting, control and physical protection of nuclear material fully established.

4. Recognizing its importance for the further strengthening of the non-proliferation and verification regime, Croatia was among the first countries to sign, on 22 September 1998, the Protocol Additional to the Agreement Between the Republic of Croatia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/463, Add.1). The Additional Protocol entered into force on 6 July 2000 and since that time Croatia has established supervision and control measures over production and import and export of specific equipment and

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materials specially designed or prepared for producing, processing or using nuclear materials. Implementation of the Additional Protocol is based on the Law on customs tariffs and the Decree specifying goods subject to export and import licences, as well as the Law on Nuclear Safety, adopted in October 2003. The Law on Nuclear Safety defines safety and protection measures while using nuclear materials and specified equipment in performing nuclear activities and establishes an independent regulatory body for nuclear safety — the State Office for Nuclear Safety.

5. Croatia considers that the Comprehensive Safeguards Agreement together with Additional Protocols constitutes the current IAEA verification standard and continues to call upon all States that have not yet done so to sign and ratify their safeguards agreements and additional protocols.

6. Croatia implements its obligations under Article III paragraph 2 by controlling the export of nuclear material and dual-use goods. In addition to the legislation that regulates nuclear material exports, in July 2004 Croatia adopted the Law on Export of Dual-Use Items. The Law has been prepared pursuant to the European Union Council Regulation (EC) No. 1334/2000 of 22 June 2000, which established an efficient common control system of the export of dual-use items in the European Union Member States, including the principles from Nuclear Suppliers Group's guidelines (INFCIRC/254). With this Law, Croatia has established a system of regulations for export control assurance for dual-use items and technologies. The Law on Export of Dual-Use Items defines conditions for export of dual-use items, competences of the government administration bodies in the implementation of the export of dual-use items, as well as rights and obligations of the exporters.

7. The Law on Export of Dual-Use Items is accompanied by the Decree on the List of Dual-Use Items, adopted by the Croatian Government in December 2004, containing the list of dual-use items identical in substance to the Annex I of the European Union Council Regulation (EC) No. 1504/2004 of 19 July 2004 (amending and updating the Regulation 1334/2000).

8. Croatia has applied for the membership in the Nuclear Suppliers Group, while the application for membership in the Zangger Committee is under preparation.

9. Croatia is a party of the Convention on the Physical Protection of Nuclear Material (CPPNM) — INFCIRC/274, and undertakes the obligation to effectively protect nuclear materials that are used, stored or transported for peaceful purposes, guided by the principles given in the IAEA document The Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225). Although Croatia does not possess any nuclear facilities, it is important to note that all the necessary safeguard measures are applied in all peaceful activities involving nuclear materials on its territory. Croatia will not approve the import, export or transit (transport) of nuclear materials without guarantees that these materials are protected according to levels specified in Annex I of the Convention. Illicit trafficking of nuclear materials is penalized as a criminal offence according to the Criminal Law.

10. Being an active participant in the negotiation process on an amendment to the CPPNM, Croatia was also among the 24 countries that jointly submitted a request to the Director General of the International Atomic Energy Agency to convene a diplomatic conference for its adoption.

Article IV

11. Croatia attaches particular importance to the peaceful use of nuclear energy and considers international cooperation as an inevitable element for the transfer of knowledge and experience for the safe use of nuclear energy. In this respect, Croatia especially commends, being its active participant, the Technical Cooperation Program of the International Atomic Energy Agency.

12. Although Croatia does not have nuclear fuel cycle facilities on its territory, it is sharing ownership with the Republic of Slovenia over the Nuclear Power Plant Krško, constructed as a joint investment of then two republics of the former Yugoslavia in late seventies on the Slovenian territory. In March 2003, after several years of disputes over joint exploitation of the nuclear power plant, the Agreement between the Republic of Croatia and the Republic of Slovenia on the Regulation of the Status and Other Legal Relationships, Connected with Investments in the Krško Nuclear Power Plant, its Exploitation and Decommissioning entered into force.

13. Considering nuclear safety and security with outmost attention, Croatia became State party of all relevant international conventions: the Nuclear Safety Convention (INFCIRC/449), the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (INFCIRC/546), the Convention on the Physical Protection of Nuclear Material (INFCIRC/274), the Convention on Early Notification of a Nuclear Accident (INFCIRC/335), the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (INFCIRC/336), the Vienna Convention on Civil Liability for Nuclear Damage (INFCIRC/500/Add.1) and the Joint Protocol relating to the Application of the Vienna Convention and the Paris Convention (INFCIRC/402). Croatia actively participates in the working meetings on these Conventions.

14. Based on the provisions of the Vienna Convention on Civil Liability for Nuclear Damage, Croatia has adopted, in 1998, the Law on Liability for Nuclear Damage which regulates liability in usage and management of nuclear materials.

Article V

15. Croatia signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) on 24 September 1996 and ratified it on 2 March 2001, and actively participates in the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, including its Working Group B dealing with the examination of verification issues. In June 2002, Croatia established a National Commission for the Comprehensive Nuclear-Test-Ban Treaty Implementation and the Ministry of Foreign Affairs and European Integration acts as the national focal point for liaison with the Preparatory Commission.

16. Considering the early entry into force of the CTBT exceptionally important, Croatia continues to call upon all States that have not yet done so to sign and/or ratify the CTBT.

Article VI

17. Croatia is fully supporting Article VI stipulation containing a clear obligation for State Parties to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. Croatia therefore supports efforts within the framework of the Conference on Disarmament to establish, at its earliest possible opportunity, ad hoc committee aiming to conclusion of non-discriminatory, multilateral and universally applicable treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices.

Article VII

18. Croatia welcomes the creation of nuclear-weapon-free zones recognizing them as important complementary instruments to the NPT and appreciating the role they can play in promoting regional and global peace and security. Croatia believes that the establishment of nuclear-weapon-free zones must be based on arrangements freely made among the States of the region in question, and should not interfere with existing or evolving security arrangements to the detriment of regional and international security.

Article VIII

19. Croatia fully supports continuing review process for further strengthening of the NPT. In this respect, Croatia supports the practice of submitting regular reports on implementation of the Treaty.

Article IX

20. Emphasizing outmost importance of the NPT, Croatia continues to call on all States that have not yet done so to accede to the Treaty.

Article X

21. Croatia regrets the notification by the DPRK of its withdrawal from the NPT. Croatia believes that the question of withdrawal from the Treaty should be seriously addressed.